

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

## **JOINT MOTION TO AMEND THE DOCKET CONTROL ORDER**

Plaintiff Celltrace LLC (“Celltrace”) and Defendants AT&T Mobility LLC, T-Mobile USA, Inc., Alltel Corporation, Alltel Communications, LLC and Cellco Partnership d/b/a Verizon Wireless (collectively “Defendants”) hereby submit this Joint Motion to Amend the Docket Control Order.

Celltrace and Defendants are diligently working to prepare this matter for trial and to complete outstanding discovery. Accordingly, Celltrace and Defendants move the Court to amend the current schedule as follows:

<b>Current Deadline</b>	<b>Proposed Deadline</b>	<b>Description</b>
April 22, 2011	April 29, 2011	Pretrial Disclosures due. Video and Stenographic Deposition Designation due. Each party who proposes to offer deposition testimony shall file a disclosure identifying the line and page numbers to be offered.
April 22, 2011	April 29, 2011	Parties shall exchange exhibit lists and witness lists.
April 29, 2011	April 29, 2011 (no change)	Deadline for filing oppositions to Daubert motions. Motions to extend page limits will only be granted in exceptional circumstances.
May 4, 2011	May 9, 2011	Parties to Identify Rebuttal Trial Witnesses.
May 4, 2011	May 9, 2011	Rebuttal Designations and Objections to Deposition Testimony due. Cross examination line and page numbers to be included. In video depositions, each party is responsible for preparation of the final edited video in accordance with their parties' designations and the

		Court's rulings on objections.
May 11, 2011	May 11, 2011 (no change)	Pretrial Objections due (including objections to exhibits lists and witness lists).
May 6, 2011	May 6, 2011 (no change)	Deadline for filing replies in connection with Daubert motions.
May 10, 2011	May 10, 2011 (no change)	Motions in Limine due. The parties are directed to meet and confer and attempt to resolve all limine issues before filing any motions in limine.
May 20, 2011	May 16, 2011	Objections to Rebuttal Deposition Testimony due and Objections to Rebuttal Trial Witnesses due.
May 17, 2011	May 17, 2011 (no change)	Responses to Motions in Limine due.
April 22, 2011	May 18, 2011	Joint Pretrial Order; Notice of Request for Daily Transcript or Real Time Reporting of Court Proceedings due. If a daily transcript or real time reporting of court proceedings is requested for trial or hearings, the party or parties making said request shall file a notice with the Court and email the Court Reporter, Shea Sloan, at <a href="mailto:shea_sloan@txed.uscourts.gov">shea_sloan@txed.uscourts.gov</a> . Proposed Findings of Fact and Conclusions of Law with citation to authority for issues tried to the bench.
May 20, 2011	May 20, 2011 (no change)	Parties to file estimates of the amount of time they request at jury selection and trial for (1) voir dire, (2) opening statements, (3) direct and cross examinations, and (4) closing arguments.
May 24, 2011	May 24, 2011 (no change)	9:00 a.m. PRETRIAL CONFERENCE at the United States District Court, 211 W. Ferguson, Courtroom of Judge John D. Love, Tyler Texas. All pending motions will be heard. Lead trial counsel must attend the pretrial conference.
June 6, 2011	June 6, 2011 (no change)	9:00 a.m. JURY SELECTION at the United States District Court, 211 W. Ferguson, 3rd Floor, Courtroom of Judge Leonard Davis, Tyler, Texas.

Dated: April 20, 2011.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 20<sup>th</sup> day of April, 2011, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Eastern District of Texas, Tyler Division, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ George Scott  
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